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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

JOSEPH RILEY and SHALEE RILEY,
husband and wife; and the marital
community comprised thereof; on behalf
of minors [REDACTED]

[REDACTED] and [REDACTED]

Plaintiffs,

vs.

CITY OF SPOKANE VALLEY,
SPOKANE COUNTY PROSECUTOR
LARRY HASKELL, SPOKANE
COUNTY PROSECUTOR SHARON
HEDLUND, SPOKANE COUNTY,
SPOKANE COUNTY SHERIFFS
DEPARTMENT, SHERIFF OZZIE
KNEZOVICH, DETECTIVE MARC
MELVILLE, JAMIE L. PETERSON, a
single person, JOHN/JANE Doe 1-10,

Defendants

Case No. _____

COMPLAINT

COMES NOW the Plaintiffs JOSEPH RILEY and SHALEE RILEY and their
minor children, by and through their attorney, DOUGLAS D. PHELPS of PHELPS &

ASSOCIATES, P.S., and for a cause of action against the Defendants above-named
alleges as follows:

I. INTRODUCTION

1.1 This is a civil action seeking compensatory and punitive damages against the Defendants for malicious prosecution, false arrest, unlawful imprisonment, libel, outrageous conduct, and for committing acts under color of law, depriving the Plaintiffs of rights secured by the United States Constitution and the laws of the United States. Defendants CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH, DETECTIVE MARC MELVILLE, JAMIE L. PETERSON and JOHN/JANE DOES 1-10 while acting in their capacity as employees of SPOKANE COUNTY and CITY OF SPOKANE VALLEY, acted to deprive the Plaintiffs of their constitutional rights.

1.2 Additionally, the acts of the CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, JAMIE L. PETERSON, DETECTIVE MARC MELVILLE and JOHN/JANE DOES 1-10 violated the Plaintiffs' rights pursuant to the United States Constitution, 42 U.S.C. Section 1983 and 1988, under the Civil Rights Act of 1971, the Washington State Constitution, the Revised Code of Washington, and the common law.

1.3 SPOKANE COUNTY SHERIFF'S DEPARTMENT is a law enforcement agency which contracts to provide law enforcement duties for the CITY OF SPOKANE VALLEY.

1.4 SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH is the elected Sheriff responsible for the hiring and supervision of SPOKANE COUNTY SHERIFFS DEPUTIES including DETECTIVE MARC MELVILLE of Spokane County Sheriff's Department/Spokane Valley Police Department.

1.5 Additionally, the acts of SPOKANE COUNTY PROSECUTOR LARRY HASKELL and SPOKANE COUNTY PROSECUTOR SHARON HEDLUND in filing false criminal charges of first-degree assault based upon false and incomplete information provided by DETECTIVE MARC MELVILLE.

1.6 Plaintiffs JOSEPH RILEY, SHALEE RILEY, and minor children maintain various state claims including libel, slander, false arrest, unlawful imprisonment, and the tort of outrage for actions of Defendants DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, PROSECUTOR LARRY HASKEL, PROSECUTOR SHARON HEDLUND and JAMIE L. PETERSON.

II. JURISDICTION AND PARTIES

2.1 This action is brought pursuant to 42 USC Section 1983 and 1988, under the Civil Rights Act of 1971, alleging that the Defendants acted under the color of law, depriving the Plaintiffs of their rights, privileges, and immunities as guaranteed by

the Fourth, Fifth, Eighth, and Fourteenth Amendments to the United States Constitution.

2.2 This Court has jurisdiction of this cause under 28 U.S.C. Sections 1331 and 1343 and 42 U.S.C. Section 1983.

2.3 All acts and omissions complained of occurred in the Eastern District of the State of Washington.

2.4 Plaintiffs JOSEPH RILEY, SHALEE RILEY, and on behalf of minors Fable Riley, Arowen Riley, Lily Delong-Riley, and George Walling is and were at all times relevant hereto residents of Spokane County, State of Washington.

2.5 Defendant CITY OF SPOKANE VALLEY is a municipality located in Spokane County, State of Washington.

2.6 Defendant SPOKANE COUNTY is a County government in Spokane County, State of Washington.

2.7 SPOKANE COUNTY SHERIFFS DEPARTMENT is a law enforcement agency contracting with the CITY OF SPOKANE VALLEY to provide law enforcement services in the CITY OF SPOKANE VALLEY.

2.8 Defendant SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH is the elected Sheriff in Spokane County responsible for supervision, hiring, and training of Defendant DETECTIVE MARC MELVILLE actions or inactions herein.

2.9 Defendants DETECTIVE MARC MELVILLE and JOHN/JANE DOES 1-10 are residents of Spokane County, Washington, and were law enforcement officers employed by the CITY OF SPOKANE VALLEY, SPOKANE COUNTY,

SPOKANE COUNTY SHERIFFS DEPARTMENT at all times relevant to this action. All Defendants are believed to reside or committed acts in Spokane County, State of Washington.

2.10 Defendant JAMIE L. PETERSON is and was at all times relevant hereto a resident of Spokane County, State of Washington.

2.11 Venue is proper in the Eastern District of the State of Washington under 28 U.S.C. Section 1391 in that the cause of action arises in the Eastern District of Washington.

III. CAUSE OF ACTION

3.1 On or about January 2, 2020, JOSEPH RILEY was arrested and wrongfully incarcerated for the crime of first degree assault that he did not commit.

3.2 JOSEPH RILEY suffers from a form of Autism known as Asperger's Syndrome

3.3 [REDACTED] suffers from a form of Autism Spectrum Disorder.

3.4 On or about December 28 and 29, 2019, JOSEPH RILEY was at his residence on the Spokane South Hill the entire night. (Exhibit A – Report 2019-10182252 page 9 of 17)

3.5 On or about December 28 and 29, 2019, JAMIE L. PETERSON, Kailyn Mellick, Stephanie Banna, and Daniel Jarman, arrived at Ichabods Bar and Grill in the CITY OF SPOKANE VALLEY. (Exhibit B – Report 2019-10182252 page 3 of 6)

3.6 Stephanie Banna conversed with JAMIE L. PETERSON who negligently and falsely allowed and mislead others to believe he was JOSEPH RILEY thereby assuming the identity of JOSEPH RILEY. (Exhibit B – Report 2019-10182252

page 3 of 6), (Exhibit C – Interview with Ted Pulver), (Exhibit D – Report 2019-10182252 page 7 of 17)

3.7 JAMIE L. PETERSON did not deny or act to correct that his name was JAMIE L. PETERSON to Kailyn Mellick, Stephanie Banna, or Daniel Jarman further assuming the identity of JOSEPH RILEY. (Exhibit D – Report 2019-10182252 page 7 of 17)

3.8 JAMIE L. PETERSON, Kailyn Mellick, Stephanie Banna, and Daniel Jarman left Ichabods Bar and Grill and later returned to Ichabods Bar and Grill parking lot. (Exhibit E – Report 2019-10182252 page 4 of 17)

3.9 Kailyn Mellick and Stephanie Banna upon returning to the bar parking lot with an unknown man later identified as JAMIE L. PETERSON, who is now alleged to have acted negligently in attacking and beating Daniel Jarman causing injuries to Mr. Daniel Jarman, ultimately leading to his death. (Exhibit F – Report 2019-10182252 page 5 of 17)

3.10 Kailyn Mellick and Stephanie Banna reported to police dispatch in a 911 call and in subsequent interviews with responding deputies that they did not know the man who attacked Daniel Jarman (Exhibit Z Report 2019-10182252 page 3 of 3)

3.11 Kailyn Mellick and Stephanie Banna stated, further that an unknown male (now identified as JAMIE L. PETERSON) and Daniel Jarman exited a vehicle and started arguing between each other. (Exhibit F Report 2019-10182252 page 5 of 17)

1 3.12 Kailyn Mellick and Stephine Banna stated in a 911 call and police interviews that
2 an unknown male began to assault Daniel Jarman. The unidentified man was
3 striking Daniel Jarman multiple times to the face with his fist knocking him onto
4 the ground in the parking lot of Ichabods Bar and Grill. **(Exhibit F Report 2019-**
5 **10182252 page 5 of 17)**
6

7 3.13 Kailyn Mellick and Stephanie Banna stated in police interviews and 911 calls, the
8 unknown male left the area leaving Daniel Jarman on the ground bleeding and
9 unconscious. **(Exhibit F Report 2019-10182252 page 5 of 17)**
10

11 3.14 Police arriving on the scene identified a male Ciaran Bliss, as a person who had ran
12 from the area shortly after the fight and he was detained and returned to the scene.
13 **(Exhibit ZZ Report 2019-10182252 page 2 of 2)** and video from Dave's Bar and
14 Grill)
15

16 3.15 DETECTIVE MARC MELVILLE failed to follow-up on information that was
17 provided regarding Ciaran Bliss after he was found near the scene of the beating
18 immediately after the assault. **(Reports generally)**
19

20 3.16 Ted Pulver, a private investigator hired by JOSPEH RILEY, in his investigation
21 viewed Ichabods Bar and Grill video and interviewed Ichabods' employees
22 discovering that Kailyn Mellick and Stephine Banna were in such an intoxicated
23 state that they were refused service and asked to leave Ichabods Bar and Grill on
24 the night of the incident. **(Exhibit N Affidavit Ted Pulver)**
25
26

27 3.17 DETECTIVE MARC MELVILLE based on an interview with employees working
28 at Ichabods Bar and Grill and viewing of video from Ichabods on December 29,

2019, knew or should have known that JOSEPH RILEY was not in Ichabods Bar and Grill with Kailyn Mellick, Stephine Banna and Daniel Jarman. **(Exhibit N Affidavit Ted Pulver)**

3.18 DETECTIVE MARC MELVILLE incorrectly documented in his report dated January 4, 2020, that he was unable to view video from inside Ichabods Bar and Grill. **(Exhibit N Affidavit of Ted Pulver)**

3.19 DETECTIVE MARC MELVILLE was advised on January 4, 2020, by a bar employee, Brittany Seaman, that she knew JOSEPH RILEY from a prior encounter, and she knew JOSEPH RILEY was not in the bar on the night of December 28 and 29, 2019. This information was withheld from the affidavit of probable cause for the arrest of JOSEPH RILEY by DETECTIVE MARC MELVILLE.

(Exhibit G- Report 2019-10182252 page 10-11 of 17)

3.20 DETECTIVE MARC MELVILLE reviewed Ichabods Bar and Grill and Dave's Bar and Grill video prior to arresting JOSEPH RILEY which clearly showed JOSEPH RILEY was not in the bar or the parking lot on December 28 or 29, 2019. **(Exhibit H – Report 2019-10182252 page 3-4 of 17)**

3.21 DETECTIVE MARC MELVILLE obtained charge and debit receipts from Ichabods Bar and Grill and knew there were no receipts for JOSEPH RILEY on December 28 or 29, 2019, but there were receipts for Daniel Jarman and other patrons. This information was withheld from the affidavit of probable cause by

1 DETECTIVE MARC MELVILLE (Exhibit G Report 2019-10182252 p. 10 of
2 17)

3 3.22 The video from Ichabods Bar and Grill which was reviewed on December 29, 2019,
4 by DETECTIVE MARC MELVILLE before JOSEPH RILEY was arrested
5 confirmed that Kailyn Mellick, Stephanie Banna, and Daniel Jarman were in
6 Ichabods Bar and Grill on December 28 or 29 but JOSEPH RILEY was not present.
7 This information was withheld from the affidavit of probable cause by
8 DETECTIVE MARC MELVILLE.
9
10

11 3.23 Kailyn Mellick in an interview on December 31, 2019, told DETECTIVE MARC
12 MELVILLE that she did not know who the man was that was with them on
13 December 28 and 29. (Exhibit O Kailyn Mellick Interview Transcript p. 6)
14

15 3.24 Kailyn Mellick told DETECTIVE MARC MELVILLE she thought Stephani
16 Banna knew JOSEPH RILEY and his wife. (Exhibit P Kailyn Mellick Interview
17 Transcript p. 19)
18

19 3.25 Kailyn Mellick told DETECTIVE MARC MELVILLE that Daniel Jarman was
20 punched in the face roughly 12 times (Exhibit Q Kailyn Mellick Interview
21 Transcript p.25).
22

23 3.26 Kailyn Mellick told DETECTIVE MARC MELVILLE that before the night of the
24 incident she had never known Stephanie Banna to talk about JOSEPH RILEY.
25 (Exhibit R Kailyn Mellick Interview Transcript p. 53)
26

27 3.27 Kailyn Mellick later allegedly went to her residence and did an online search for
28 JOSEPH RILEY and then suggested that this was the unknown man who assaulted

Daniel Jarman and was with her at Ichabods Bar and Grill on December 28th and 29th. (**Exhibit O Kailyn Mellick Interview Transcript p. 6**)

3.28 DETECTIVE MARC MELVILLE knew or should have known from his viewing of the video at Ichabods Bar and Grill, interview of bar employee Brittany Seaman, and from the receipts from the bar that JOSEPH RILEY was not in the Bar with either Kailyn Mellick, Stephanie Banna, or Daniel Jarman prior to his arrest of JOSEPH RILEY. This information was withheld from the affidavit of probable cause by DETECTIVE MARC MELVILLE. (**Exhibit G Report 2019-10182252 p. 10 – 11 of 17**)

3.29 Stephanie Banna said that she knew JOSEPH RILEY only from Facebook for 2 years prior to the December 29, 2019, incident, even though she had initially denied knowing the person who was with her and Stephanie Banna all night of December 28 to 29th. This information was withheld from the affidavit of probable cause by DETECTIVE MARC MELVILLE. (**Exhibit I Interview of Stephanie Banna p. 11**)

3.30 Stephanie Banna followed JOSEPH RILEY on Facebook from his tattoo business for about two years prior to this incident. Ms. Stephanie Banna said she did not know JOSEPH RILEY except as a Facebook friend. This information was withheld from the affidavit of probable cause by DETECTIVE MARC MELVILLE. (**Exhibit I – Interviews of Stephanie Banna page 11 of 46**)

3.31 Kailyn Mellick called Crime Check and reported that JOSEPH RILEY was the man who assaulted Daniel Jarman, even though Kailyn Mellick and Stephanie Banna

had initially denied knowing the person that was with them on December 28 to 29, 2019. (Exhibit O Kailyn Mellick Interview Transcript p. 6)

3.32 Stephanie Banna later made recorded statements with Ted Pulver stating that DETECTIVE MARC MELVILLE provided details implicating JOSEPH RILEY as the suspect during her interview. (Exhibit J – Interview of Stephanie Banna page 17-19 of 46) (Ted Pulver interview Exhibit C p. 1)

3.33 DETECTIVE MARC MELVILLE was aware on December 29, 2019 that Kailyn Mellick and Stephanie Banna had disagreed about the identity of the person ultimately identified as JAMIE L. PETERSON which DETECTIVE MARC MELVILLE withheld from the probable cause affidavit. (Exhibit K – Report 2019-10182252 page 3 of 17)

3.34 DETECTIVE MARC MELVILLE was aware on December 29, 2021 that Stephanie Banna had advised him that the male with them at Ichabods Bar and Grill was having a tattoo removed from his arm. This information was withheld from the affidavit of probable cause. (Exhibit C Recorded Interview of Stephanie Banna)

3.35 DETECTIVE MARC MELVILLE falsely suggested to Stephanie Banna that the police had received a crime check report identifying JOSEPH RILEY as the aggressor and another Deputy had information identifying JOSEPH RILEY when Stephanie Banna was reluctant to implicate JOSEPH RILEY during an interview recorded on December 31, 2019 leading to a statement implicating JOSEPH RILEY (Exhibit J – Interview of Stephanie Banna page 17-19 of 46)

3.36 DETECTIVE MARC MELVILLE failed to report in his probable cause affidavit that JOSEPH RILEY had no criminal history. This information was withheld from the affidavit of probable cause by DETECTIVE MARC MELVILLE.

3.37 DETECTIVE MARC MELVILLE went to Mr. JOSEPH RILEY's home on about January 2, 2020 after he had reviewed videos, obtained the bar receipts, interviewed bar employee Brittany Seaman. DETECTIVE MARC MELVILLE was aware the male now identified as JAMIE L. PETERSON was removing a tattoo from his arm on the date of the attack.

3.38 DETECTIVE MARC MELVILLE observed Mr. JOSEPH RILEY was fully cooperative with DETECTIVE MARC MELVILLE when contacted at his home.

3.39 Joseph Riley cooperated with Detective Marc Melville providing him his cell phone to prove that he was at home and not in the Spokane Valley at Ichabods Bar and Grill on December 28 or 29, 2019. (Exhibit A Report 2019-10182252 p. 15 of 17)

3.40 DETECTIVE MARC MELVILLE was advised by JOSEPH RILEY and SHALEE RILEY that Mr. JOSEPH RILEY had been at home with his wife SHALEE RILEY on the night of December 28 to 29, 2019 on the South Hill.

3.41 DETECTIVE MARC MELVILLE could see that Mr. JOSEPH RILEY had no injuries to his hand, fist, or body consistent with the type of physical altercation alleged in this case. (Exhibit G Report 2019-10182252 p. 10-11 of 17)

3.42 Had DETECTIVE MARC MELVILLE looked at JOSEPH RILEY's arm he would have observed that there was no tattoo that was being removed which Stephanie

Banna had told DETECTIVE MARC MELVILLE in a recorded interview on December 31, 2019 (Exhibit W Report 2019-10182252 p.13)

3.43 DETECTIVE MARC MELVILLE refused to investigate alibi witnesses that would have reported JOSEPH RILEY had been at home on the night of the alleged assault before or after arresting JOSEPH RILEY. (Exhibit N. Affidavit of Ted Pulver)

3.44 DETECTIVE MARC MELVILLE arrested JOSEPH RILEY on the front porch of Mr. JOSEPH RILEY's home in view of his children and wife SHALEE RILEY.

3.45 DETECTIVE MARC MELVILLE falsely told SHALEE RILEY that her husband had been unfaithful to her and was involved with other women; this was a false statement made to interfere with the Riley's marital relationship. (Exhibit S Affidavit of Shalee Riley)

3.46 DETECTIVE MARC MELVILLE and Deputy Prosecuting Sharon Hedland threatened to charge JOSEPH RILEY and SHALEE RILEY with witness tampering after listening to jail phone calls where the couple discussed potential alibi witnesses in an effort to prepare a defense.

3.47 Neighbors and friends who were aware JOSEPH RILEY was at his residence on December 28 or 29 and not at Ichabods Bar and Grill, contacted Defendant DETECTIVE MARC MELVILLE multiple times with no response from the Detective. This information was withheld from the affidavit of probable cause by DETECTIVE MARC MELVILLE.

3.48 Cody Greenfield tried contacting DETECTIVE MARC MELVILLE to give him a statement about where JOSEPH RILEY was the night of December 28 and 29,

2019, with no response from DETECTIVE MARC MELVILLE. (**Exhibit T Affidavit Cody Greenfield**)

3.49 DETECTIVE MARC MELVILLE ignored the statements of SHALEE RILEY and JOSEPH RILEY, that JOSEPH RILEY had been at home on the night of December 28 to December 29, 2019 during the altercation at Ichabods Bar and Grill parking lot instead making a warrantless arrest of JOSEPH RILEY without any further investigation of the alibi information provided by the Riley's.

3.50 DETECTIVE MARC MELVILLE and Spokane County Sheriffs Department maintained in press release and probable cause affidavits that DETECTIVE MARC MELVILLE had a video that showed "JOSEPH RILEY" was at the Ichabods Bar and Grill parking lot on the night of the assault which was false. (**Exhibit U Press Release**)

3.51 The video of the parking lot at Ichabods Bar and Grill on December 28th to 29th does not and has never recorded JOSEPH RILEY in the parking lot at Ichabods Bar and Grill because he was not in the parking lot and DETECTIVE MARC MELVILLE knew that when he arrested JOSEPH RILEY.

3.52 The video from inside Ichabods Bar and Grill did not show JOSEPH RILEY in the bar on the night of December 28th to 29th of 2019 and DETECTIVE MARC MELVILLE viewed that video prior to charging JOSEPH RILEY. (**Exhibit N Affidavit Ted Pulver**)

3.53 DETECTIVE MARC MELVILLE reviewed monitored jail phone calls where JOSEPH RILEY and SHALEE RILEY were discussing alibi witnesses that could

corroborate Mr. JOSEPH RILEY's whereabouts on December 28th to 29th of 2019. These witnesses were never contacted by DETECTIVE MARC MELVILLE or documented in affidavits of probable cause.

3.54 Among the witnesses available to corroborate Mr. JOSEPH RILEY's whereabouts was Master Sergeant Shawn E. Roberge of the United States Air Force, a neighbor of JOSEPH RILEY. **(Exhibit V Affidavit of Shawn Roberge)**

3.55 Shawn E. Roberge contacted the Sheriff's Department but there was no interview conducted by DETECTIVE MARC MELVILLE to verify the exculpatory evidence for Shawn E. Roberge that JOSEPH RILEY was not at Ichabods Bar and Grill on December 28th to 29th 2019.

3.56 Shawn E. Roberge's statement would have corroborated what Mr. JOSEPH RILEY and SHALEE RILEY stated, what was observed in videos from Ichabods Bar and Grill, the statements from bar employee Brittany Seaman and the parking lot video that JOSEPH RILEY was not at Ichabods Bar and Grill at the time of the alleged assault. **(Exhibit V Affidavit Shawn Roberge)**

3.57 DETECTIVE MARC MELVILLE acted in reliance on the coerced, false, inconsistent, unreliable, and misleading statements of Kailyn Mellick, and Stephanie Banna in making a warrantless and false arrest of JOSEPH RILEY. DETECTIVE MARC MELVILLE recklessly disregarded all exculpatory evidence in arresting JOSEPH RILEY. JOSEPH RILEY as a result has suffered and continues to suffer mental, physical, financial damages and reputation damages.

3.58 As a result of the DETECTIVE MARC MELVILLE false and inaccurate reporting on the matter in sworn reports and probable cause affidavits, JOSEPH RILEY was held pretrial in jail for 2 weeks for a first degree assault that he did not commit.

3.59 As a result of DETECTIVE MARC MELVILLE's actions and inactions, JOSEPH RILEY incurred cost to bond out of jail, hire lawyers, and investigators to investigate and prove his innocence for falsely filed charges of first degree assault.

3.60 DETECTIVE MELVILLE later learned that Daniel Jarman died due to his multiple injuries suffered in the beating in the parking lot of Ichabods Bar and Grill.

3.61 Stephanie Banna called DETECTIVE MELVILLE on January 28, 2020 with information pertaining to the false arrest of JOSEPH RILEY which implicated JAMIE L. PETERSON as to the true attacker. **(Exhibit W Report 2019-10182252 p.12)**

3.62 Stephanie Banna stated that a friend had shown her a picture of JAMIE L. PETERSON which looked very similar to JOSEPH RILEY and she had a sinking feeling that JOSEPH RILEY was the wrong person who had been arrested, falsely charged, and incarcerated by DETECTIVE MARC MELVILLE

3.63 DETECTIVE MARC MELVILLE reviewed the new information and photographs of JAMIE L. PETERSON and JOSEPH RILEY and recognized similar features in the face and body of the two men. **(Exhibit W Report 2019-10182252 p.12)**

3.64 DETECTIVE MARC MELVILLE performed a records search for JAMIE L. PETERSON and found that he had been involved in a bar fight July 2019 **(Exhibit X Report 2019-10182252 p.13)**

3.65 DETECTIVE MARC MELVILLE interviewed JAMIE L. PETERSON stating he was following up with people who were present at Ichabods Bar and Grill the night of December 28th to 29th, 2019. (Exhibit W Report 2019-10182252 p.13)

3.66 JAMIE L. PETERSON denied ever getting in a fight or altercation at Ichabods Bar and Grill and stated he did not know Kailyn Mellick and Stephanie Banna.

3.67 DETECTIVE MARC MELVILLE indicated that the person identified had tattoos on their arm, JAMIE L. PETERSON showed DETECTIVE MARC MELVILLE his tattoos on his arms.

3.68 JAMIE L. PETERSON had a lasered off tattoo on the inside of his left forearm just below the elbow, now showing small dots where a tattoo was previously located.

3.69 DETECTIVE MARC MELVILLE recalled Stephanie Banna had specifically stated the suspect had a tattoo partially removed in an interview on December 31, 2019. (Exhibit W Report 2019-10182252 p.13)

3.70 DETECTIVE MARC MELVILLE confronted JAMIE L. PETERSON with the description of the suspect including the removal of a tattoo.

3.71 JAMIE L. PETERSON became defensive and said "That's a complete lie."

3.72 DETECTIVE MARC MELVILLE told JAMIE PETERSON his name had been brought forward by the females involved from the incident with Mr. Daniel Jarman.

3.73 JAMIE L. PETERSON continued to deny being involved in the incident with Daniel Jarman.

1 3.74 After the interview with JAMIE L. PETERSON, DETECTIVE MARC
2 MELVILLE called Spokane County Prosecutor Sharon Hedlund and advised her
3 of his findings.

4 3.75 DPA Hedlund searched for JAMIE L. PETERSON's Facebook but could not locate
5 any information for him on Facebook. **(Exhibit W Report 2019-10182252 p.14)**

6 3.76 DETECTIVE MARC MELVILLE described the page to Spokane County
7 Prosecutor Sharon Hedlund but there was still no information on JAMIE L.
8 PETERSON. The Facebook page had been removed.

9 3.77 DETECTIVE MARC MELVILLE had looked at the profile numerous times and
10 now could not locate it after the interview he conducted with JAMIE L.
11 PETERSON.

12 3.78 On January 30, 2020, the Spokane County Prosecutor Sharon Hedlund dismissed
13 the charges against Mr. JOSEPH RILEY without prejudice. **(Exhibit L -**
14 **Dismissal).**

15 3.79 On April 1, 2020, the Spokane County Prosecutor Sharon Hedlund dismissed the
16 charges with prejudice against Mr. JOSEPH RILEY based upon "newly discovered
17 evidence." **(Exhibit M - Dismissal).**

18 3.80 As a result of false statements, misleading police reports, false probable cause
19 affidavits, and media releases Mr. JOSEPH RILEY was falsely arrested and held
20 out before the public as a violent criminal and murderer all of which was contrary
21 to evidence available to DETECTIVE MARC MELVILLE.

3.81 As a result of these false reports, false and incomplete probable cause affidavits, and false accusations Mr. JOSEPH RILEY and SHALEE RILEY and minor children suffered emotional, financial, and reputation injuries.

3.82 As a result of DETECTIVE MARC MELVILLE's false affidavit of probable cause, refusal to complete investigation, misleading interview tactics with Stephanie Banna, and ignoring evidence that Kailyn Mellick and Stephanie Banna were collaborating regarding the identity of the attacker. Mr. JOSEPH RILEY was falsely arrested, charged, and imprisoned for a crime he did not commit.

3.83 DNA Evidence and fingerprint evidence found in the vehicle in which the parties were driving on the night of the attack identified JAMIE L. PETERSON as the person in the vehicle with Stephanie Banna, Kailyn Mellick, and Daniel Jarman. NO DNA or fingerprint evidence was found for JOSEPH RILEY.

3.84 Spokane County Prosecutors LARRY HASKELL and SHARON HEDLUND relying on the evidence available refused to bring criminal charges against JAMIE L. PETERSON, further evidence, that the charges against JOSEPH RILEY brought by DETECTIVE MARC MELVILLE, LARRY HASKELL, and SHARON HEDLUND were unreasonable when alleged against JOSEPH RILEY with more evidence available implicating JAMIE L. PETERSON.

IV. CAUSE OF ACTION FOR COMMON LAW NEGLIGENCE

Plaintiff re-alleges and incorporates the foregoing paragraphs as fully set forth herein, paragraph 3.1 to 3.84 as paragraphs 4.1 to 4.84

4.85 That the CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH SPOKANE COUNTY PROSECUTOR LARRY HASKELL and SHARON HEDLUND, and DETECTIVE MARC MELVILLE failed to prevent injury to JOSEPH RILEY in violation of their common law duty to properly train and supervise law enforcement personnel on how to conduct and report investigations.

4.86 That the CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, and SHERIFF OZZIE KNEZOVICH failed to train law enforcement staff including DETECTIVE MARC MELVILLE and JOHN/JANE DOE 1-10 that police reports and affidavits of probable cause must be complete and accurate.

4.87 DETECTIVE MARC MELVILLE and JOHN/JANE DOE 1-10 acted with negligent and reckless disregard by conducting misleading interviews, failing to accurately and correctly report and document the investigations of the said crime leading to the false arrest and false imprisonment of JOSEPH RILEY.

4.88 DETECTIVE MARC MELVILLE failed in his duty to protect JOSEPH RILEY and SHALEE RILEY from false arrest, false imprisonment, and malicious claims of criminal activities.

4.89 As a result of the actions or inactions of DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, and Prosecutors LARRY HASKELL and SHARON HEDLAND, JOSEPH RILEY and SHALEE RILEY were forced to retain an investigator and attorneys to protect their family from the false and misleading allegations and criminal charges falsely made by Kailyn Mellick, Stephanie Banna, and DETECTIVE MARC MELVILLE.

1 4.90 SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, CITY
2 OF SPOKANE VALLEY, including DETECTIVE MARC MELVILLE of
3 Spokane County Sheriff's Department knowingly and recklessly provided false,
4 coerced, and misleading statements in the probable cause affidavit regarding
5 JOSEPH RILEY and his involvement in the assault and murder of Daniel Jarmen.
6

7 4.91 The failure of DETECTIVE MARC MELVILLE to adequately, fully investigate,
8 and accurately document his findings in the probable cause affidavit in this case
9 led to the false arrest, charging, and incarceration of JOSEPH RILEY for a crime
10 committed by JAMIE PETERSON who had assumed JOSEPH RILEY's identity.
11
12

13
14 **V. CAUSE OF ACTION FOR INTENTIONAL INFLICTION**
15 **OF EMOTIONAL DISTRESS**

16 Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 5.1 to 5.84.
17

18 5.85 The defendant DETECTIVE MARC MELVILLE acted intentionally or recklessly
19 in making false statements that JOSEPH RILEY assaulted DANIEL JARMAN.
20

21 5.86 The defendant DETECTIVE MARC MELVILLE acted intentionally,
22 recklessly, and negligently in making false statements to SHALEE RILEY that
23 her husband had been involved in an extra-marital relationship.

24 5.87 The defendant DETECTIVE MARC MELVILLE made statements to SHALEE
25 RILEY regarding JOSEPH RILEY being unfaithful which was extreme and
26 outrageous conduct not necessary to investigate the offense.
27
28

5.88 The acts of defendant DETECTIVE MARC MELVILLE have caused JOSEPH RILEY, SHALEE RILEY distress and marital discord.

5.89 The false statements made by DETECTIVE MARC MELVILLE have caused JOSEPH RILEY and SHALEE RILEY to be held out in the public and social media in a negative and false light.

5.90 DETECTIVE MARC MELVILLE falsely advised Stephanie Banna that others including a sheriffs deputy and crime stop report had implicated JOSEPH RILEY as the attacker on December 28 and 29, 2019 encouraging her to falsely implicate JOSEPH RILEY.

5.91 The plaintiff JOSEPH RILEY and SHALEE RILEY have suffered severe emotional distress due to the negligent, intentional, and reckless acts of DETECTIVE MARC MELVILLE.

**VI. CAUSE OF ACTION FOR VIOLATION OF PLAINTIFF'S
CONSTITUTIONAL RIGHTS UNDER COLOR OF LAW PURSUANT
TO 42 USC 1983 (THE CIVIL RIGHTS ACT)**

Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 6.1 to 6.84.

6.85 The Defendants caused or failed to prevent injury to JOSEPH RILEY and his family in violation of JOSEPH RILEY's rights under 42 USC 1983 by falsely arresting, charging, and incarcerating JOSEPH RILEY.

6.86 That the CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SPOKANE COUNTY SHERIFF OZZIE

KNEZOVICH, and DETECTIVE MARC MELVILLE by custom, policy, or practice, caused the injury to JOSEPH RILEY.

6.87 As a result of DETECTIVE MARC MELVILLE's warrantless and false arrest of JOSEPH RILEY, he was taken into custody and held in violation of his 4th, 8th, and 14th Amendment Rights for a crime he did not commit.

6.88 DETECTIVE MARC MELVILLE while acting in his official capacity misrepresented the facts in the affidavit of probable cause filed in JOSEPH RILEY's case.

6.89 DETECTIVE MARC MELVILLE recklessly conducted interviews leading Stephanie Banna to falsely implicate JOSEPH RILEY. This evidence was then used to falsely arrest JOSEPH RILEY.

6.90 As a result of the violations by CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS OFFICE, SHERIFF OZZIE KNEZOVICH and DETECTIVE MARC MELVILLE to JOSEPH RILEY rights, suffered, and continues to suffer injury as a result of this false criminal prosecution and incarceration and injuries including but not limited to financial loss, reputation loss, physical, psychological, and emotional injuries.

6.91 SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, DETECTIVE MARC MELVILLE of Spokane Valley Police Department and John/Jane Doe 1-10 acted callously and recklessly in withholding or investigating exculpatory evidence in the affidavit of probable cause and the criminal prosecution of JOSEPH RILEY.

6.92 SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH and DETECTIVE MARC MELVILLE acted to mislead, coerce, and intimidated Stephanie Banna into making a false accusation against JOSEPH RILEY.

6.93 SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH and DETECTIVE MARC MELVILLE acted to falsely arrest and incarcerate JOSEPH RILEY violating his civil rights.

**VII. CAUSE OF ACTION FOR VIOLATION OF PLAINTIFF'S
CONSTITUTIONAL RIGHTS PURSUANT TO THE CONSTITUTION OF THE
UNITED STATES AND THE WASHINGTON STATE CONSTITUTION**

Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 7.1 to 7.84.

7.85 The Defendants acted with reckless and callous indifference to JOSEPH RILEY's rights and failed to prevent injury to JOSEPH RILEY and SHALEE RILEY which was a violation of their rights pursuant to Article I Section 3, 7, 14, and 35 of the Washington State Constitution and the 4th, 8th, and 14th Amendments to the Constitution of the United States.

7.86 That DETECTIVE MARC MELVILLE falsely arrested, seized and incarcerated JOSEPH RILEY based on coerced and false allegations that he committed assault in the first degree a violation of his 14th and 4th Amendment Rights.

7.87 That DETECTIVE MARC MELVILLE made false and misleading statements under oath in his affidavit of probable cause resulting in an 8th Amendment

violation due to pretrial incarceration based on false information inflicting cruel and unusual punishment on JOSEPH RILEY for a crime he did not commit.

7.88 DETECTIVE MARC MELVILLE made intentionally false statements in his affidavit of probable cause and failed to document any exculpatory information in his affidavit of probable cause leading to the false arrest and incarceration of JOSEPH RILEY.

7.89 That CITY OF SPOKANE VALLEY, SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, DETECTIVE MARC MELVILLE, SPOKANE COUNTY PROSECUTORS LARRY HASKELL and SHARON HEDLUND, and JOHN/JANE DOE 1-10 by custom, policy, or practice caused the deprivation of the rights of JOSEPH RILEY.

7.90 That as a result of the violations to JOSEPH RILEY's Washington State and United States Constitutional Rights, JOSEPH RILEY suffered and continues to suffer injury as a result of his false arrest, incarceration, and prosecution.

CAUSE OF ACTION FOR *MONELL* LIABILITY

VIII. CAUSE OF ACTION FOR NEGLIGENT TRAINING

Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 8.1 to 8.84.

8.85 That SPOKANE COUNTY, CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFF's DEPARTMENT, and SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH are liable for the actions of their employees for failing to

properly train said employees to properly investigating and accurately reporting in a criminal investigation.

8.86 That as a result of the actions or inactions of the employees of SPOKANE COUNTY, CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFFS DEPARTMENT, and SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH in training employees. JOSEPH RILEY was falsely arrested, incarcerated, prosecuted, suffered, and continues to suffer injury.

8.87 That SPOKANE COUNTY, CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFFS DEPARTMENT and SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH failed to adequately and fully train law enforcement officers, including DETECTIVE MARC MELVILLE resulting in the injury to JOSEPH RILEY.

8.88 SPOKANE COUNTY, CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFF'S DEPARTMENT AND SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH failed to train DETECTIVE MARC MELVILLE in dangers of coercing false statements which resulted in false identification from Stephanie Banna and Kailyn Mellick.

8.89 That as a result of the negligent training, JOSEPH RILEY, SHALEE RILEY, and minor children suffered and continues to suffer injury.

IX. CAUSE OF ACTION FOR NEGLIGENT SUPERVISION

Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 9.1 to 9.84.

1 9.85 That SPOKANE COUNTY, SPOKANE COUNTY, SPOKANE COUNTY
2 SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, are liable for the
3 actions of their employees for failing to supervise said employees in procedures
4 involving proper supervision and use of proper investigative techniques, which
5 resulted in the injury to JOSEPH RILEY and SHALEE RILEY and minor children

6 9.86 That as a result of the actions or inactions of the employees of SPOKANE
7 COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, and SPOKANE
8 COUNTY SHERIFF OZZIE KNEZOVICH JOSEPH RILEY, SHALEE RILEY
9 and minor children suffered and continues to suffer injury.
10

11 9.87 That SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT,
12 and SPOKANE COUNTY SHERIFF OZZIE KNEZOVICH, failed to adequately
13 and fully supervise DETECTIVE MARC MELVILLE, law enforcement officers
14 and investigators resulting in the false arrest, wrongful incarceration, and injury of
15 JOSEPH RILEY, SHALEE RILEY, and minor children.
16

17 9.88 That as a result of the negligent supervision, JOSEPH RILEY, SHALEE RILEY,
18 and minor children suffered and continue to suffer injury including financial,
19 mental, psychological, and reputation among other damages.
20

21 9.89 SPOKANE COUNTY, SPOKANE COUNTY SHERIFFS DEPARTMENT, and
22 SHERIFF OZZIE KNEZOVICH allowed DETECTIVE MARC MELVILLE and
23 officers JOHN/JANE DOES 1-10 to falsely arrest and wrongfully charge JOSEPH
24 RILEY with crimes and to make false media releases regarding JOSEPH RILEY
25 committing assault in 1st Degree and Murder.
26

1
2 **X. CAUSE OF ACTION FOR MALICIOUS PROSECUTION**

3 Plaintiffs re-allege and incorporate paragraphs 3.1 to 3.84 as 10.1 to 10.84.

4 10.85 JOSEPH RILEY has been subjected wrongfully to warrantless, false arrest, and
5 criminal prosecution by SPOKANE COUNTY, CITY OF SPOKANE VALLEY,
6 SPOKANE COUNTY SHERIFFS DEPARTMENT, PROSECUTORS SHARON
7 HEDLUND and LARRY HASKELL, SHERIFF OZZIE KNEZOVICH, and
8 DETECTIVE MARC MELVILLE, for Assault 1st Degree.
9
10

11 10.86 The CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFFS
12 DEPARTMENT, SPOKANE COUNTY, SHERIFF OZZIE KNEZOVICH,
13 SPOKANE COUNTY PROSECUTORS LARRY HASKELL and SHARON
14 HEDLUND, DETECTIVE MARC MELVILLE, and JOHN/JANE DOE 1-10
15 acted to prosecute JOSEPH RILEY for crimes, that were not properly investigated
16 and falsely reported leading to JOSEPH RILEY to be wrongfully charged for these
17 crimes.
18
19

20 10.87 That the charges were reckless and wrongfully alleged and filed against JOSEPH
21 RILEY and were ultimately dismissed with prejudice by Spokane County
22 Prosecutors Larry Haskell and Sharon Hedlund.
23

24 10.88 There was no probable cause to warrantlessly arrest JOSEPH RILEY as the
25 evidence supported that JOSEPH RILEY was at home on December 28 and 29,
26 2019 and that he did not commit the crime of first degree assault.
27
28

10.89 That DETECTIVE MARC MELVILLE made false, misleading, and inaccurate statements in the affidavit of probable cause which resulted in the false arrest of JOSEPH RILEY.

10.90 JOSEPH RILEY has incurred damages as a result of these false allegations, false arrest, incarceration, mental, and emotional damages to his reputation and has incurred attorney's fees and costs in defending from these false claims.

XI. CAUSE OF ACTIONS FOR ABUSE OF PROCESS

Plaintiff re-alleges and incorporates paragraphs 3.1 to 3.84 as paragraphs 11.1 to 11.84.

11.85 JOSEPH RILEY have been subjected wrongfully to criminal prosecution by SPOKANE COUNTY, CITY OF SPOKANE VALLEY, SPOKANE COUNTY PROSECUTORS LARRY HASKELL and SHARON HEDLUND, SPOKANE COUNTY SHERIFFS DEPARTMENT, SHERIFF OZZIE KNEZOVICH, and DETECTIVE MARC MELVILLE by basing his arrest on falsely reported and inaccurately reported statements of Kailyn Mellick and Stephanie Banna. The officer cannot simply take the statements of anyone who reports that a particular individual perpetrated a crime (*Castillon v. United States*, 298 F.2d 256, 259 (9th Cir. 1962)).

11.86 The CITY OF SPOKANE VALLEY, SPOKANE COUNTY SHERIFFS DEPARTMENT, SPOKANE COUNTY, SHERIFF OZZIE KNEZOVICH, SPOKANE COUNTY PROSECUTOR LARRY HASKELL and SHARON

HEDLUND, DETECTIVE MARC MELVILLE and JOHN/JANE DOES 1-10 continued to prosecute and incarcerate JOSEPH RILEY ignoring exculpatory evidence that JOSEPH RILEY was falsely arrested, incarcerated, and charged in the assault.

11.87 The proceeding against JOSEPH RILEY were first dismissed without prejudice and ultimately dismissed with prejudice.

11.88 There was no probable cause for the criminal proceeding due to the false reporting and lack of proper documentation of the exculpatory evidence by DETECTIVE MARC MELVILLE.

11.89 DETECTIVE MARC MELVILLE initialed the criminal proceeding in reckless, malicious, disregard when JOSEPH and SHALEE RILEY insisted that JOSEPH RILEY was at home and not at Ichabods Bar and Grill on December 28 and 29, 2019.

11.90 DETECTIVE MARC MELVILLE made false statements in his affidavit of probable cause and made material false misrepresentations in his affidavit of probable cause.

XII. FALSE ARREST AND FALSE IMPRISONMENT

Plaintiff re-alleges and incorporates paragraphs 3.1 to 3.84 as paragraphs 12.1 to 12.84.

12.85 DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS DEPARTMENT and SHERIFF OZZIE KNEZOVICH by the exercise of force or

1 by an express or implied threat of force, warrantless arrest of JOSEPH RILEY by
2 restraining, confining and/or detaining plaintiff's personal liberty when he placed
3 his hands upon his person and physically manipulated his arms behind his back,
4 placing handcuffs on his wrists.
5

6 12.86 DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS
7 DEPARTMENT and SHERIFF OZZIE KNEZOVICH acted recklessly and
8 intentionally in making a warrantless arrest of plaintiff JOSEPH RILEY based
9 upon false information and incorrectly reported information in the affidavit of
10 probable cause.
11

12 12.87 DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS
13 DEPARTMENT and SHERIFF OZZIE KNEZOVICH acted unlawfully by falsely
14 reporting evidence, coercing a false statements, and reporting false statements
15 regarding the facts in this case falsely implicating JOSEPH RILEY.
16

17 12.88 DETECTIVE MARC MELVILLE, SPOKANE COUNTY SHERIFFS
18 DEPARTMENT and OZZIE KNEZOVICH failed to document accurately in the
19 probable cause affidavit and ignoring any exculpatory evidence as to JOSEPH
20 RILEY's involvement in the assault of Daniel Jarman.
21

22 12.89 The arrest and incarceration were against the will and without the consent of
23 JOSEPH RILEY.
24

25 12.90 As a result of the false arrest and false imprisonment, JOSEPH RILEY and
26 SHALEE RILEY suffered damages and continues to suffer damages
27
28

12.91 The charges filed against JOSEPH RILEY were later dismissed first without prejudice and later with prejudice by the prosecuting attorney's office.

**XII. CAUSE OF ACTION OF DEFAMATION, LIBEL, SLANDER,
AND FALSE LIGHT**

Plaintiff re-alleges and incorporates paragraphs 3.1 to 3.84 as paragraphs 13.1 to 13.84.

13.85 False and incomplete statements were made by DETECTIVE MARC MELVILLE accusing JOSEPH RILEY of serious violent assaults against Daniel Jarman has caused Mr. JOSEPH RILEY to be held in a negative light which continues today.

13.86 False and incomplete swearing made by DETECTIVE MARC MELVILLE that JOSEPH RILEY had been at Ichabods Bar and Grill on December 28 to 29, 2019 caused JOSEPH RILEY to suffer both financial and personal damages from the false swearing by DETECTIVE MARC MELVILLE.

13.87 DETECTIVE MARC MELVILLE made false statements to SHALEE RILEY that her husband had been unfaithful and involved romantically with other women on December 28 and 29, 2019.

13.88 DETECTIVE MARC MELVILLE in making false and misleading statements verbally, in police reports, affidavits of probable cause, and in press releases regarding JOSEPH RILEY causing false information to be published in press and

1 social media about JOSEPH RILEY's involvement in a serious violent offense,
2 murder and an involvement in extramarital relationships.

3 13.89 DETECTIVE MARC MELVILLE'S false, misleading, and reckless statements
4 caused marital discord in the marriage of JOSEPH RILEY and SHALEE RILEY.

5 13.90 DETECTIVE MARC MELVILLE's false, reckless, and misleading statements
6 led to the false warrantless arrest and incarceration of JOSEPH RILEY.

7 13.91 DETECTIVE MARC MELVILLE's false statements have caused JOSEPH
8 RILEY to lose business relationships, financial losses, and to be held in low
9 regard in press and in social media.

10 13.92 DETECTIVE MARC MELVILLE's false accusations are reported to this date on
11 social media irreparably damaging the Plaintiff's online reputation.

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 **XIV. RELIEF SOUGHT**

14.1 WHEREFORE, the Plaintiffs pray for judgment against the Defendants, jointly and
severally, in an amount that will fairly compensate the Plaintiff for all damages
sustained, costs, and reasonable attorneys' fees and costs, interest calculated at the
maximum amount allowable by the law, and any other relief the Court deems just,
including but not limited to:

14.2 Past and future medical expenses.

14.3 Past and future emotional and psychological counseling costs.

14.4 Past and future loss of earnings.

14.5 Permanent and partial impairment of earnings and earning capacity.

14.6 Pain and suffering.

14.7 Past and future permanent and partial disability.

14.8 Loss of enjoyment of life.

14.9 Past and future special damages.

14.10 Interest calculated at the maximum amount allowable by law, including
prejudgment interest.

14.11 Injunctive relief to prevent future actions to protect others similarly situated,
requiring disclosure of police involvement with witnesses in criminal cases.

14.12 Injunctive relief requiring training of police investigator in false identification by
eyewitnesses.

14.13 Injunctive relief to require Spokane County Sheriffs Department to utilize body
cams for all investigating

14.14 Punitive damages.

14.15 Actual or compensatory damages.

14.16 Nominal damages.

14.17 Attorneys' fees and cost.

14.18 Cost and disbursements herein in an amount to be proven at the time of trial.

14.19 Such other relief as the Court believes is equitable and just.

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DATED this 22nd day of December, 2021.


DOUGLAS D. RHELPS, WSBA#22620
Attorney for Plaintiffs

1 STATE OF WASHINGTON)

2 : SS

3 County of Spokane)

4
5 JOSEPH RILEY, being first duly sworn on oath, deposes and states:

6
7 I am the named Plaintiff herein, I have read the foregoing Complaint for Damages; I
8 know the contents thereof, and I believe the same to be true and correct.

9
10
11
12
13 JOSEPH RILEY
14
15
16

17 SUBSCRIBED AND SWORN TO before me this 21 day of December, 2021.

18
19
20
21
22 NOTARY PUBLIC for the State of Washington

23 Residing at Spokane, WA

24 My Commission expires: 6/19/23

25 AMANDA SMITH
26 NOTARY PUBLIC #208165
27 STATE OF WASHINGTON
28 COMMISSION EXPIRES
JUNE 19, 2023

1 STATE OF WASHINGTON)

2 SS

3 County of Spokane)

4
5 SHALEE RILEY, being first duly sworn on oath, deposes and states:

6
7 I am the named Plaintiff herein, I have read the foregoing Complaint for Damages; I
8 know the contents thereof, and I believe the same to be true and correct.

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11 

12
13 SHALEE RILEY

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15
16
17 SUBSCRIBED AND SWORN TO before me this 21st day of December, 2021.

18
19
20 

21
22 NOTARY PUBLIC for the State of Washington

23 Residing at Spokane, WA

24 My Commission expires: 6/19/23

